

**CWP-39331-2025****-2-**

suspected him of sending the complaints using others' names and filed a police complaint against him. The petitioner filed for pre-arrest bail and the learned Sessions Judge disposed of the same on 19.09.2025 as discernible from Annexure P-2 with a direction for one week's notice if an FIR is registered. The petitioner was subjected to constant harassment which compelled him to file a civil suit for injunction against respondent No.3 on 18.09.2025 which is pending. In retaliation, respondent No.3 issued a charge sheet alleging insubordination and unauthorized absence. The petitioner was suspended vide order dated 19.09.2025. The petitioner apprehends that due to the apparent bias-ness, his case would not be conducted fairly and the disciplinary proceedings due to the influence of respondent No.3, have been initiated against him. The petitioner submitted a reply to the charge sheet on 26.11.2025 (Annexure P-6) as well as filed a representation on 19.12.2025 (Annexure P-7) for transfer of the departmental enquiry/disciplinary proceedings from Gurdaspur to any other district.

3. The learned State counsel submits that the State is only a proforma respondent, whereas, contesting party is respondents No.2 & 3.

4. Having heard learned counsel for the parties and on perusal of the records, it transpires that the petitioner has filed a civil suit for injunction against respondent No.3 on 18.09.2025 as discernible from Annexure P-3. As such, an element of bias cannot be ruled out and it would be in the interest of justice if the departmental proceedings initiated by respondent No.3 against the petitioner be transferred to any other district.

5. In view of the discussion above, the present petition is disposed of

CWP-39331-2025

-3-

accordingly and respondent No.2 is directed to transfer the departmental enquiry pending against the petitioner from Gurdaspur to any other district within a period of two weeks from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)

JUDGE

15.01.2026

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No